

SUPERIOR COURT  
YAVAPAI COUNTY, ARIZONA  
2022 FEB 21 5 PM 1:21 ✓  
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BY: M. ARREDONDO

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State Bar I.D. No. 005188

Attorney for Verde Ditch Company

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

GEORGE W. HANCE, et al.,

Plaintiffs,

vs.

WALES ARNOLD, et ex., et al.,

Defendants.

In the matter of the VERDE DITCH  
COMPANY

No. P1300CV4772

INTERIM REPORT TO THE  
COURT RE: PIPELINE PROJECT

(Assigned to the Honorable John D.  
Napper and the Honorable Linda  
Wallace - Co-Masters of the Verde  
Ditch)

(Ex Parte)

Pursuant to the Court Order of January 6, 2022, the Verde Ditch Commissioners Reed  
McManus, Jake McCune, David Hilbers, Cort Monroe and Al Dupuy submit the following progress  
report on the ongoing Pipeline Project.

1       The Commissioners are pleased to report that the Pipeline Project is ahead of schedule for  
2 completion. Originally, it was envisioned that the Project would not be completed until on or after  
3 March 1, 2022. Fortunately, the main contractor and subcontractors have worked efficiently and  
4 effectively to provide the construction materials and equipment to allow the Project to proceed with  
5 minimal delays. A supplier was unable to furnish the Waterman headgates and/or components of  
6 the pipeline as specified because of supplier shortages resulting from the pandemic and/or  
7 transportation issues. Fortunately, other sources were found to supply similar irrigation headgates  
8 which were deemed acceptable to the Project's engineer and allowed by the Verde Ditch  
9 Commissioners as substitute headgates. The General Contractor has warrantied the substituted  
10 headgates.  
11

12       The attached photographs were taken February 18, 2022 and represent the current status of  
13 the project. Most of the irrigation pipe is in the ground and has been covered. The concrete boxes  
14 are in progress with the placement of the necessary steel. Forms are planned to be set Saturday,  
15 February 19, 2022 and concrete boxes to be poured February 21, 2022. Once the concrete is cured,  
16 the headgates will be bolted in and made operational. The projected date of irrigation water to be  
17 restored to the Verde Ditch should commence on or about February 23, 2022 and the flow in the  
18 Ditch should reach the construction site within 48 hours.  
19

20       The attached photographs are numbered. Photos 1 and 2 are pictures facing north along the  
21 pipeline after the Verde Ditch crosses under Salt Mine Road. Photographs 3 and 4 are the concrete  
22 headgate boxes with the steel placement preforms prior to the pouring of the concrete walls.  
23  
24  
25  
26  
27  
28

1 Photographs 5 through 7 reflect the covered pipeline in different areas of the project where the  
2 pipeline has been completed and the ditch area graded. Photograph 8 reflects the end of the pipeline  
3 project and the return of the Verde Ditch to an open ditch before it proceeds southerly under the  
4 second Salt Mine Road underground culvert. Absent delays because of the pending weather, it  
5 appears that the Project will be completed early and on budget. A detailed financial accounting will  
6 be submitted with the final Commissioners' report.  
7

8  
9 **RESPECTFULLY SUBMITTED** this 24<sup>th</sup> day of February, 2022.

10  
11 **L. RICHARD MABERY, P.C.**

12  
13  
14 By: 

15 L. Richard Mabery, Esq.  
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19 Attorney for Verde Ditch Company  
20  
21

22 The **original** of the foregoing Interim  
23 Report to the Court Re: Pipeline Project  
24 filed this 25<sup>th</sup> day of February, 2022  
with:

25 The Clerk of the Yavapai County  
26 Superior Court  
27 120 S. Cortez  
28 Prescott, Arizona 86303

1 **Copies** of the foregoing Interim  
2 Report to the Court Re: Pipeline  
3 Project emailed this 25<sup>th</sup> day  
4 of February, 2022, to:

5 The Honorable John D. Napper  
6 Division 2  
7 Co-Master of the Verde Ditch  
8 [Div2@courts.az.gov](mailto:Div2@courts.az.gov)

9 The Honorable Linda Wallace  
10 Division Pro Tem B  
11 Co-Master of the Verde Ditch  
12 [ptb@courts.az.gov](mailto:ptb@courts.az.gov)

13 By  
14 /clr

Cheryl Roberts































